

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

IN RE:

DOUGLAS DIXON AND
JOANN COLLISON

Debtors. CASE NO. 9:17-bk-07370-FMD
CHAPTER 13

**DEBTORS' OBJECTION TO CLAIM NO. 2 FILED BY
FORETHOUGHT LIFE INSURANCE COMPANY AND REQUEST FOR ATTORNEYS FEES**

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

PURSUANT TO LOCAL RULE 2002-4, THE COURT WILL CONSIDER THE RELIEF REQUESTED IN THIS PAPER WITHOUT FURTHER NOTICE OR HEARING UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN THIRTY (30) DAYS FROM THE DATE SET FORTH ON THE ATTACHED PROOF OF SERVICE, PLUS AN ADDITIONAL THREE DAYS FOR SERVICE IF ANY PARTY WAS SERVED BY MAIL.

IF YOU OBJECT TO THE RELIEF REQUESTED IN THIS PAPER, YOU MUST FILE A RESPONSE WITH THE CLERK OF THE COURT AT 801 N. FLORIDA AVENUE, SUITE 555, TAMPA, FL 33602-3899, AND SERVE A COPY ON THE MOVANT'S ATTORNEY, MILLER HOLLANDER AND JEDA, 5278 GOLDEN GATE PARKWAY, SUITE 2, NAPLES, FL 34116 AND ANY OTHER APPROPRIATE PERSONS WITHIN THE TIME ALLOWED. IF YOU FILE AND SERVE A RESPONSE WITHIN THE TIME PERMITTED, THE COURT WILL EITHER SCHEDULE AND NOTIFY YOU OF A HEARING, OR CONSIDER THE RESPONSE AND GRANT OR DENY THE RELIEF REQUESTED WITHOUT A HEARING.

IF YOU DO NOT FILE A RESPONSE WITHIN THE TIME PERMITTED, THE COURT WILL CONSIDER THAT YOU DO NOT OPPOSE THE GRANTING OF THE RELIEF REQUESTS IN THE PAPER, WILL PROCEED TO CONSIDER THE PAPER WITHOUT FURTHER NOTICE OR HEARING, AND MAY GRANT THE RELIEF REQUESTED.

NOW COMES Debtors, DOUGLAS DIXON AND JOANN COLLISON by and through their undersigned attorney and objects to Claim No. 2 filed by FORETHOUGHT LIFE INSURANCE COMPANY (hereinafter "Creditor"), pursuant to 11 U.S.C. §502(b) and in support thereof states as follows:

1. The Debtors filed for relief under Chapter 13 on August 22, 2017.

2. Forethought Life Insurance Company filed Claim No. 2 on October 2, 2017.

3. The Creditor's accounting attached to the claim charges in excess of \$4000.00 for the Debtors' prior Chapter 15 bankruptcy proceedings. The Attorneys fees are excessive and without value.

4. Creditor was receiving ongoing payments but no accounting of payments has been provided or indicated in the claim.

5. Debtors have retained the undersigned counsel to prosecute this objection to claim and have agreed to pay them a reasonable fee for their services.

WHEREFORE, Debtors request this Court sustain their objection, disallow Claim No. 2 filed by Forethought Life Insurance Company and grant attorneys fees and for such other and further relief as the Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the U.S. Trustee, 501 E. Polk Street, Suite 1200, Tampa, FL 33602, Jon M. Waage, Trustee, P.O. Box 25001, Bradenton,

FL 34206-5001, Rushmore Loan Management, c/o Michel Deleon, 15480
Laguna Canyon Road, Suite 100, Irvine, CA 92618, Kass Shuler, P.A.,
c/o Nicole Noel, P.O. Box 800, Tampa, FL 33601-0800, by first class
U.S. Mail, postage fully prepaid or by electronic notice, this 12th
day of April, 2018.

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By: /S/MELISSA H. JEDA

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